

ASSEMBLY BILL

No. 156

Introduced by Assembly Member Lara

January 18, 2011

An act to amend Section 19902 of the Business and Professions Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 156, as introduced, Lara. Gambling control: sale or lease of licensee property.

Existing law establishes the California Gambling Control Commission and prescribes the requirements for obtaining a gambling license and defines a gambling establishment or licensed premises for these purposes. Existing law limits the transfer of property if the transferee has to be approved or licensed by the commission, and specifically prohibits a contract for sale or lease of real or personal property that requires approval of the commission, as specified, from specifying a closing date earlier than 90 days after the submission of the contract to the commission, as specified.

This bill would permit a contract for the sale or lease of real or personal property, subject to the limitations described above, to specify a closing date earlier than 90 days after the submission of the contract to the commission if the commission has approved the contract and the parties have requested it.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19902 of the Business and Professions
2 Code is amended to read:
3 19902. When any person contracts to sell or lease any property
4 or interest in property, real or personal, under circumstances that
5 require the approval or licensing of the purchaser or lessee by the
6 commission pursuant to subdivision (a) of Section 19853, the
7 contract shall not specify a closing date for the transaction that is
8 earlier than the expiration of 90 calendar days after the submission
9 of the completed application for approval for licensing. ~~Any~~ *Except*
10 *as provided in this section, any provision of a contract that specifies*
11 *an earlier closing date is void for all purposes, but the invalidity*
12 *does not affect the validity of any other provision of the contract.*
13 *If the commission has approved a contract for sale or lease, the*
14 *commission may permit the contract to specify a closing date that*
15 *is earlier than the expiration of 90 calendar days after the*
16 *submission of the completed application, if so requested by the*
17 *parties to the contract.*